

REMARKS

Claims 29-54 are pending in the application. Claims 29-54 have been added by the present amendment. Claims 1-28 have been canceled without prejudice. The claims are fully supported by the specification as originally filed.

Applicants' claimed invention is directed to a portable data recording and playback device integrated into a headband, including: a microphone 6 attached to the headband for capturing sound signals (see FIGS. 1 and 2); a data memory 16 for storing the captured sound signals (see FIG. 3); **a speech recognition unit 14** for accessing the data memory and operable to recognize voice commands contained in the sound signals (see specification at page 5, last paragraph; see also FIG. 3); and a control unit 17 for controlling the device based on the recognized voice commands (see page 5, last paragraph; see also FIG. 3).

The Applicants' claimed invention can provide significant benefits. According to the speech recognition feature of the invention, the device can be operated by voice commands, thereby enabling convenient hands-free operation (see, e.g., page 2, last paragraph).

Claims 1, 2, 4-6, 22, 23, and 26 were rejected under 35 USC 102(e) as being anticipated by U.S. Patent 6,466,677 to Bush. Claims 3, 7, 10-21, 24, 25, 27, and 28 were rejected under 35 USC 103(a) as being unpatentable over Bush. Claims 8 and 9 were rejected under 35 USC 103(a) as being unpatentable over Bush in view of U.S. Patent 5,099,519 to Guan. These rejections are respectfully traversed.

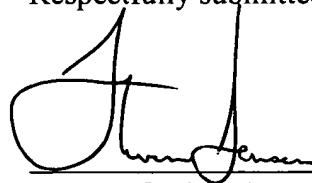
New claims 29 and 48 incorporate a speech recognition unit for accessing a data memory and operable to recognize voice commands from the user, which is neither taught nor suggested in the Bush reference. No prior art has been identified which incorporates speech recognition technology in a self-contained headband audio playback device, as embodied in the Applicants' claimed invention. Therefore, the rejection under 35 USC 103(a) should be withdrawn, and "official notice" is inappropriate with respect to new claims 29-54.

Moreover, no known prior art teaches or suggests a speech recognition device incorporated into a headset, as taught in the claimed invention. By providing speech recognition hardware and software within the headband, according to the claimed invention, the device can be controlled based on voice commands spoken by a user into the microphone. As shown in FIG. 1, e.g., the headband provides a self-contained device capable of recording and playing back audio signals. In the embodiment of FIG. 2, an MP3 player or other external device can be connected to the headband, thereby providing access to prerecorded music and the like.

For at least the reasons discussed above, Bush does not anticipate or otherwise render obvious the Applicants' claimed invention.

It is believed the application is in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,



Peter F. Corless (Reg. No. 33,860)
Steven M. Jensen (Reg. No. 42,693)
Dike Bronstein, Roberts & Cushman
Intellectual Property Practice Group
EDWARDS & ANGELL, LLP
P.O. Box 55874
Boston, MA 02205

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Phone: (617) 439-4444

Customer No. 21874